



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/534,201	03/24/2000	David R. Larsen	4760	2945

758 7590 08/09/2002

FENWICK & WEST LLP
TWO PALO ALTO SQUARE
PALO ALTO, CA 94306

EXAMINER

KRAMER, JAMES A

ART UNIT PAPER NUMBER

3627

DATE MAILED: 08/09/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/534,201

Applicant(s)

LARSEN, DAVID R.

Examiner

James A. Kramer

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-54 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-54 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6/21/00
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6, 10-11, 13-16, 18-26, 30-31, 33-35, 37-43, 46-47, 49-51, and 53-54 are rejected under 35 U.S.C. 102(b) based upon a public use or sale of the invention. DISC RECON-Plus as discussed in the article “Reconciling accounts the automated way” by Kreminiec.

DISC RECON-Plus is a computer based bank system for reconciling investment, financial or accounting transactions. DISC RECON-Plus obtains first and second information, from remote sites or from a storage device (or a combination of the two) and matches transactions on a one-to-one basis. The software then takes all unmatched transactions and matches combinations of transactions or multiple transactions (it is inherent that this can only be done if there with more than one transaction in the list(s) of transactions that is(are) going to be combined) that would otherwise cause the transactions to be tagged as unmatched and require manual research (paragraph 16). It is inherent to the system that the combination of transactions amounts to a sum that then used for reconciliation (i.e. add the value of the checks to match them with the reconciliation data from the financial institution). It is also inherent that the system utilizes a recursive submethod to match the transaction values. There is no other method to reconcile a large number of records, then to perform some reconciliation function/method repeatedly until every check or combination of checks is matched or tagged as “unmatched”.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7-12, 16-17, 20, 27-31, 35, 44-47, 50-51, and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over the invention DISC RECON-Plus in view of Dunn et al.

The DISC RECON-Plus system (describe above) does not specifically mention grouping transaction data by date. Dunn et al. teaches a computer aided reconciliation method and apparatus that uses the date as one of the significant pieces of information for reconciling two lists of transactions. It would have been obvious to anyone skilled in the art at the time of the invention to use the date criteria similar to the system of Dunn et al. with the system of DISC RECON-Plus since the date is a standard piece of information known and used by all parties and would greatly ease the reconciliation process.

The DISC RECON-Plus system (described above) does not specifically teach a recursive submethod for reconciling transactions. Dunn et al. teaches a recursive submethod (reference Figures) to perform reconciliation. It would have been obvious to anyone skilled in the art at the time of the invention to utilize a recursive submethod, such as is done in Dunn et al. to perform the reconciliation in DISC RECON-Plus in order to increase the efficiency and speed of the reconciliation process.

Art Unit: 3627

Claims 12, 17, 32, 36, 48, and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over the product DISC RECON-Plus in view Dunn et al. and in further view of applicant's disclosure.

DISC RECON-Plus system in view of Dunn et al. (described above) does not disclose the specific steps used in the recursive submethod for reconciling many-to-many or one-to-many transactions. In particular it does not teach the following steps: the system, responsive to none of the values of transactions in the second input parameter equaling the first input parameter, performing the steps of selecting a transaction in the second input parameter, subtracting the value of the second parameter from the first parameter, using this modified new parameter to perform the recursive submethod once again on the second list minus the selected transaction and repeating until a match is either found or not.

The applicant discloses manual systems for matching one-to-many or many-to-many transactions (page 5, line 2-4). It is known in the art to manually perform the steps described above in a recursive submethod to reconcile transactions in a one-to-many or many-to-many situation. It would have been obvious to anyone skilled in the art at the time of the invention to use this recursive submethod known in the art and typically practiced manually as described by applicant in the DISC RECON-Plus system in view of Dunn et al. to quickly and efficiently reconcile transactions in an automated many-to-many or one-to-many situation.

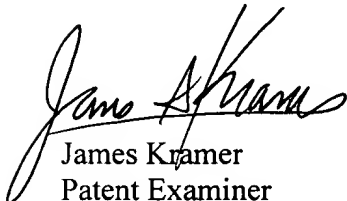
Conclusion

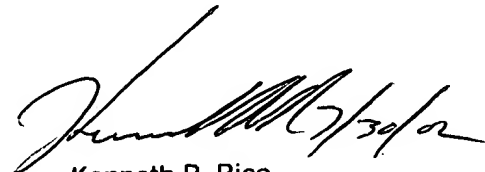
Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Kramer whose telephone number is (703) 305-5241. The examiner can normally be reached on Monday - Friday (8AM - 5PM).

Art Unit: 3627

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (703) 308-5183. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-9123 for regular communications and (703) 872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.


James Kramer
Patent Examiner
July 25, 2002


Kenneth R. Rice
Primary Examiner